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13 Attorneys For Defendant
CITY AND COUNTY OF SAN FRANCISCO

14
15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 ELBERT HARRIS, III,

18 Plaintiff,

19 vs.

20 CITY AND COUNTY OF SAN
FRANCISCO, DEPARTMENT OF
21 PUBLIC HEALTH; ROBERT THOMAS,
Director of Human Resources, Laguna
22 Honda Hospital and Rehabilitation Center;
and LARRY BEVAN, Licensed Psychiatric
Technician, Laguna Honda Hospital and
Rehabilitation Center, and DOES 1 through
23 25,

24 Defendants.

25 USDC NO. CV 08 - 2353 PJH

E-FILING CASE

JOINT STATUS CONFERENCE STATEMENT
RE APPROVAL OF THE SETTLEMENT
AGREEMENT

Hearing Date: February 25, 2010
Time: 2:00 p.m.
Place: 3rd floor, Courtroom 3
(Oakland Location)

1 On September 29, 2009, the parties in the above-referenced action reached a settlement in this
2 case, subject to the approvals of SEIU Local 1021, the San Francisco Department of Public Health, the
3 San Francisco Health Commission, and the San Francisco Board of Supervisors. Per the parties'
4 agreement, the settlement is not final and binding unless and until these approvals are obtained.

5 On October 24, 2009, the Court scheduled a status conference for February 25, 2010 so the
6 parties can update the court on the status of the settlement approval process. The parties hereby
7 submit this joint status conference statement.

8 The settlement agreement has been approved and signed by SEIU Local 1021 and the Director
9 of the San Francisco Department of Public Health. In a meeting on February 2, 2010, the San
10 Francisco Health Commission approved the settlement agreement.

11 The City Attorneys' Office will submit the settlement agreement to the Board of Supervisors
12 for consideration and approval. That process may take between 60 to 90 days because, in addition to
13 having the Rules Committee review the settlement agreement, and making a recommendation to the
14 full Board, by law the Board has to conduct two readings of the settlement agreement before final
15 passage. Once the Board approves the settlement, the Mayor has 10 days to approve or veto the
16 Board's approval. Thus, the parties request that the Court continue the status conference for at least 90
17 days (or some time after May 2010). The parties will notify the Court if and when the settlement
18 checks are disbursed prior to the continued status conference date.

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1 Counsel for the City notes that she has a case (*Cook v. City and County of San Francisco*, SF
2 Superior Court Case No. CGC 07-462280) scheduled for trial starting on Monday, February 22, 2010.
3 If possible, she respectfully requests that the Court advise the parties by February 24 whether the
4 February 25 status conference is continued. If not, and if the *Cook* case is assigned to a courtroom,
5 she will make arrangement to have a colleague attend the status conference on her behalf.

6 Dated: February 19, 2010

7 Respectfully submitted,

8 DENNIS J. HERRERA
9 City Attorney
10 ELIZABETH S. SALVESON
11 Chief Labor Attorney
ADELMISE ROSEMÉ WARNER
Deputy City Attorney

12 By: _____/S/ _____
13 ADELMISE ROSEMÉ WARNER

14 Attorneys for Defendants
15 CITY AND COUNTY OF SAN FRANCISCO, ET
AL.

16 Dated: February 19, 2010

17 LAW OFFICES OF CURTIS G. OLER

18 By: _____/S/ _____
CURTIS G. OLER

19 Attorney for Plaintiff
20 ELBERT HARRIS, III

1 [PROPOSED] ORDER

2 The Court, having reviewed and considered the Joint Status Conference Statement of the
3 parties in the above-captioned matter, hereby orders as follows:

4 The February 25, 2010 status conference regarding the settlement agreement is hereby
5 continued May 27, 2010.

6 IT IS SO ORDERED.

7 DATE: 2/22/10

